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 United States Trustee for Region 17

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA
 BAKERSFIELD DIVISION**

| | | |
|------------------|---|--|
| In re: |) | Case No. 22-11907 |
| |) | Chapter 11 |
| FREON LOGISTICS, |) | DC No.: UST-1 |
| |) | |
| |) | Date: December 13, 2022 |
| |) | Time: 9:30 a.m. |
| |) | Place: United States Coyle Courthouse |
| |) | 2500 Tulare St. |
| Debtor. |) | Ctrm. 13 |
| |) | Fresno, CA |
| |) | |
| |) | Judge: Hon. Rene Lastreto II |

**NOTICE OF HEARING ON THE UNITED STATES TRUSTEE’S MOTION,
 PURSUANT TO 11 U.S.C. § 1112(B) AND FEDERAL RULES OF BANKRUPTCY
 PROCEDURE 1017(F) AND 9014, TO CONVERT OR DISMISS CHAPTER 11 CASE**

NOTICE IS HEREBY GIVEN that a hearing will be held on the United States Trustee’s Motion to Dismiss the Chapter 11 case of Freon Logistics (the “Debtor”) pursuant to 11 U.S.C. § 1112(b) (the “Motion”), **at 9:30 a.m. on December 13, 2022, in the United States Coyle**

1 **Courthouse, 2500 Tulare Street, Courtroom 13, Fresno, CA 93721.**¹ At the hearing, the
2 United States Trustee will ask that this case be converted or dismissed for “cause” pursuant to 11
3 U.S.C. § 1112(b) based on the Debtor’s failure to maintain adequate insurance.

4 This Notice is consistent with the Court’s order shortening the time for notice of the
5 hearing on the U.S. Trustee’s Motion (the “Order”). A copy of the Court’s Order is being served
6 concurrently herewith. Pursuant to the Court’s Order, opposition, if any, to the granting of the
7 motion shall be in writing, filed with the Clerk by the responding party no later than **December**
8 **9, 2022**, and served on the following parties:

9
10 United States Trustee
11 ATTN: Jorge A. Gaitan
12 501 I Street, Suite 7-500
13 Sacramento, CA 95814

14 Opposition shall be accompanied by evidence establishing its factual allegations. Without
15 good cause, no party shall be heard in opposition to a motion at oral argument if written
16 opposition to the motion has not been timely filed. **Failure of the responding party to timely**
17 **file written opposition may be deemed a waiver of any opposition to the granting of the**
18 **motion and the motion may be resolved without oral argument.**

19 The opposition shall specify whether the responding party consents to the Court’s
20 resolution of disputed material factual issues pursuant to Fed.R.Civ.P. 43(c) as made applicable
21 by Fed.R.Bankr.P. 9017. If the responding party does not so consent, the opposition shall include
22 a separate statement identifying each disputed material factual issue. The separate statement shall
23 enumerate discretely each of the disputed material factual issues and cite the particular portions
24 of the record demonstrating that a factual issue is both material and in dispute. Failure to file the
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¹ The initial version of the Motion and related pleadings filed with the Court indicated the hearing would take place in Bakersfield, CA. The U.S. Trustee is filing and serving amended versions of the motion and supporting documents to clarify that the hearing shall be held in Fresno, CA as set forth herein.

1 separate statement shall be construed as consent to the resolution of the motion and all disputed
2 factual issues pursuant to Fed.R.Civ.P. 43(c).

3 Appearance at the hearing can be made via Zoom, via telephone, and/or in person at the
4 address indicated above. For the most updated Court policies regarding appearance in Court
5 please visit the Court's website at www.caeb.uscourts.gov. Parties can also determine whether
6 the matter has been resolved without oral argument or whether the court has issued a tentative
7 ruling by reviewing the Court's pre-disposition calendar, available at www.caeb.uscourts.gov
8 after 4:00 p.m. the day before the hearing. Parties appearing telephonically must view the pre-
9 hearing dispositions prior to the hearing. Telephonic appearances may be arranged by contacting
10 Court Call at (866) 582-6878.
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14 Date: December 1, 2022

Respectfully Submitted,

15 TRACY HOPE DAVIS
16 UNITED STATES TRUSTEE

17 By: /s/ Jorge A. Gaitan
18 Jorge A. Gaitan
19 Trial Attorney for the United States Trustee
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